C-8-1001

(2)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ petition no. 3328 **/2004**

Petitioner : LIYAQAT ALI ANSARI
Aged about 56 years,
S/o late shri Abdul Hamid Ansari
Occupation – Service, Asstt. Grade-II
Public works Department, Raipur,
R/o Near Women polytechnic College,
Byron Bazar,
Distt.-Raipur (C.G.)

Versus

Respondents :

(1) The state of chhattisgarh,
Through,Secretary
Public works Department,
D.K.S.Bhawan, Raipur(C.G.)

(2) Engineer-in - Chief
Public works Department
Distt. Raipur(C.G.)

(3) Executive Engineer (B&R) Division-1
Public works Department
Distt. Raipur(C.G.)

(4) Executive Engineer (E&M) Division
Public works Department
Distt. Raipur(C.G.)

C.R. No. 3310/04
Presented by Shri AHIR received
dated 16-9-04

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Link to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3328/01 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12.4.2005 On a mention being made, the matter is taken up for hearing. Shri Ayaz Naved, counsel for the petitioner. Shri G. K. Beriwal, Deputy Advocate General for the State. The petitioner, who is working as Assistant Grade-II in the Civil Division of Public Works Department, Raipur, has questioned the legality & propriety of order dated 31.7.2004 (Annexure P-1) whereby he has been transferred from B&R Division, Raipur to E&M Division, Raipur and further E&M Division has posted him at Sub-Division Kwardha. The challenge of the petitioner is that by transferring his services from B&R Division, Raipur to E&M Division, Raipur the seniority of the petitioner will be affected. Second contention of the petitioner is that even E&M Division, Raipur has not allowed him to work and he has been directed by E&M Division, Raipur to join at Sub-Division, Kwardha. Reply has already been filed on behalf of the respondents in which it has been mentioned that so far as the seniority of the petitioner is concerned, even after the transfer of petitioner from B&R Division, Raipur to E&M Division, Raipur his seniority will not be affected. So far as the second grievance of the petitioner is concerned, since no post is available at B&R Division, Raipur , therefore, the petitioner has been posted at the vacant place which was available at Sub-Division, Kwardha. Counsel for the petitioner submits that posts in B&R Division, Raipur are lying vacant even then he has been transferred.	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

21

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Moreover, only 2 ½ years service is left, therefore, at the fag end of career the petitioner ought not to have been transferred and ultimately, learned counsel submitted that for raising all these grievances the petitioner may be allowed to make a representation to respondent No.2 and he be directed to decide the representation of the petitioner, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and points which have been raised in this petition and argued by learned counsel for the petitioner, the petitioner is allowed to make a representation within a period of ten days from today to respondent No.2 raising all his grievances and in turn respondent No.2 is directed to consider the points raised by the petitioner and decide the representation in an objective manner within another one month from the date of receipt of the representation in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, all the pending I.As are also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

(पीछे देखिये)

13.4.05 7.5.05